

Remarks

Applicants appreciate the Examiner's withdrawal of the objection to claims 2 and 16 and rejection of claims 2-13 under 35 U.S.C. § 112, second paragraph.

Priority

The requested priority information has been inserted into the specification.

Amendments

Claim 1 has been amended to recite the full names of "TFPI" and "TFPI-2." The full name of "TFPI" is disclosed in the specification at page 1, line 10.

Claims 1 and 2 have been amended to recite particular muteins disclosed in the specification at page 8, line 19, to page 9, line 3 and at page 10, lines 5-12.

These amendments do not add new matter.

The Obviousness-Type Double Patenting Rejections

Claims 1-11, 16-25, and 73 stand rejected as obvious over claims 1-17 of U.S. Patent 6,174,721. Claims 1-11, 16-27, and 73 stand rejected as obvious over claims 1-24 of U.S. Patent 5,589,359.

To expedite prosecution, a Terminal Disclaimer under 37 C.F.R. § 1.321 accompanies this response. Applicants respectfully request withdrawal of the rejection.

The Rejection of Claims 1-11, 13, 16-27, 73, and 88 Under 35 U.S.C. § 112, first paragraph

Claims 1-11, 13, 16-27, 73, and 88 stand rejected under 35 U.S.C. § 112, first paragraph, as not enabled for the full scope of the recited muteins. Applicants respectfully traverse the rejection.

To advance prosecution, claims 1 and 2 have been amended to recite specific muteins.

Applicants respectfully request withdrawal of the rejection.

The Rejection of Claims 1-11, 13, 16-27, 73, and 88 Under 35 U.S.C. § 112, second paragraph

Claims 1-11, 13, 16-27, 73, and 88 stand rejected under 35 U.S.C. § 112, second paragraph, as indefinite because the first occurrences of the terms “TFPI” and “TFPI-2” are not fully spelled out. Applicants respectfully traverse the rejection.

Claim 1 has been amended to recite “Tissue Factor Pathway Inhibitor (TFPI)” and “Tissue Factor Pathway Inhibitor-2 (TFPI-2).”

Applicants respectfully request withdrawal of the rejection.

The Rejection of Claims 1-11, 13-27, 73, and 88 Under 35 U.S.C. § 102(b)

Claims 1-11, 13-27, 73, and 88 stand rejected under 35 U.S.C. § 102(b) over Innis & Creasey, U.S. Patent 5,563,123. Applicants respectfully traverse the rejection.

U.S. Patent 5,563,123 issued from application Serial No. 08/286,521, which also is the parent application of the present application. The Office Action indicates that addition to the specification of all continuation data for the present application would eliminate this rejection.

The continuation data has been added. Applicants respectfully request withdrawal of the rejection.

Please continue to address correspondence to Lisa E. Alexander, Esq., Chiron Corporation, Intellectual Property Dept., R440, 4560 Horton Street, Emeryville, CA 94608-2916.

Respectfully submitted,

BANNER & WITCOFF, Ltd.

Date: January 5, 2004

By: Lisa M. Hemmendinger
Lisa M. Hemmendinger
Registration No. 42,653

1001 G Street, NW
Washington, DC 20001
202-824-3000